

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

WELLS FARGO,)	
)	
Plaintiff,)	Civil Case No. 06-1515-ST
)	
vs.)	ORDER
)	
U.S. BANK,)	
)	
Defendant.)	

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KING, Judge:

The Honorable Janice M. Stewart, United States Magistrate Judge, issued her Findings and Recommendation on December 19, 2006. The matter is before this court. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). Plaintiff has filed objections to the Findings and Recommendation and defendant has filed a response.

When either party objects to any portion of the Magistrate's Findings and Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate's report. See 28 U.S.C. § 636(b)(1)(C); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982).

Having given a *de novo* review of the issues raised in plaintiff's objections to the Findings and Recommendation, I find no error.

Accordingly, I ADOPT Magistrate Judge Stewart's Findings and Recommendation (#11). IT IS HEREBY ORDERED that the Defendant's Motion to Dismiss (#2) is GRANTED.

Dated this 25th day of January, 2007.

/s/ Garr M. King
Garr M. King
United States District Judge